

REMARKS

Claims 1-5, 7-12 and 14-17, as amended, remain in this application for the Examiner's review and consideration. The claims have been amended to more clearly define the scope of protection sought by the present application. In particular, claims 1 and 9 have been amended to recite that first and second portions of the initial search results are identified based upon creation dates of the results and that the results in the second identified portion results are ranked based upon temporal factors. Support for these amendments can be found in the claims as originally filed and in particular claims 6 and 13 respectively. Claim 15 was amended to recite that the temporally ranked set of search results utilize an age associated with each result in the set of search results. Support for this amendment can be found in the specification as originally filed and in particular on page 6, lines 4-5. Claims 6 and 13 have been canceled from consideration with the present invention without prejudice to pursue the subject matter of these claims in one or more divisional or continuation applications. As these amendments do not introduce any new matter into the above identified application, their entry at this time is warranted.

A replacement sheet for Fig. 1 has been submitted to correct informalities in the originally submitted figure. In particular, an arrow head has been moved to indicate the proper flow in the diagram and a shape of one box has been changed. An annotated sheet showing the corrections is also included. As these changes do not introduce any new matter into the present application, their entry at this time is warranted.

Claims 1-17 were rejected under 35 U.S.C. § 102(c) as being anticipated by U.S. Patent Application Publication No. US2003/0135490 to Barrett et al. ("Barrett") for the reasons stated in paragraph 2 of the Office Action. It was asserted that Barrett discloses the present invention as currently recited in the claims including generating an initial set of search results and ranking at least a portion of the search results based on temporal factors. Applicant asserts that this rejection has been overcome for the reasons that follow.

Barrett is directed to an enhanced popularity ranking in which the search activities of previous users are monitored, and this activity is used to organize information for future users. The user activities are monitored from a time and use based perspective. The basic technique of

Barrett is to utilize the time history of uses of information. Therefore a popularity ranking is used based upon timing of previous uses.

In contrast, methods for ranking results in accordance with the present invention and as currently recited in the claims are based upon the age of the results, i.e., the age or creation date of the data or website that returned in response to a query. Time history of uses is not age and is not directly reflective of the date of creation. The history of uses is based upon how often, when and for how long a given result or webpage is viewed. As currently recited in claims 1 and 9, an initial set of search results is generated, and two portions of this set of search results are identified, a first portion and a second portion based upon the creation dates of each result. The first portion of the initial search results has creation dates after a pre-determined threshold date, and the second portion of the initial search results has creation dates before the pre-determined threshold date. The second portion results, i.e. the results having creation dates before the threshold date, are ranked based on temporal factors to generate the temporally ranked set of search results. Therefore, an initial sort is made based on the age of the results in light of a threshold age, and the older results are temporally ranked. There is no teaching or suggestion in Barrett of making any rankings based upon the age of the results themselves. Moreover, Barrett fails to teach or disclose first sorting search results into two groups based upon age followed by temporally ranking the older of the two groups. Regarding the assertion that Barrett in paragraph [0049] discloses identifying a first portion and a second portion based upon the comparison of creation dates to a threshold date, there is no teaching in this paragraph regarding comparing creation dates of results to threshold dates. As stated in paragraph [0049]:

the enhanced popularity scores of the present invention will only be used to rank a preset number of search results, and the original popularity scores alone are used for the remaining results. In the preferred embodiment, the traditional popularity scores are blended with the enhanced popularity scores, with an initial lower weight on the enhanced popularity scores until a maturing time has past. Up to ten of these mixed results are then backfilled with Keyword search.

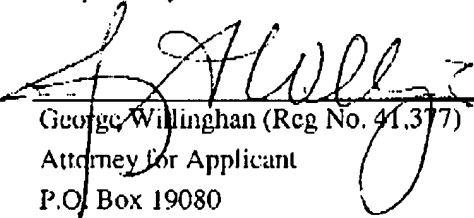
Barrett is using popularity scores, both original and enhanced to rank the results. The popularity scores are based upon usage not creation date. According to the disclosure, the number of enhanced popularity scores is to be limited to a preset number, not to results based upon age. A

blend of traditional or original scores with the enhanced scores can be used and each score in the blend can be given a weight. The weight of the enhanced score is lower until the passage of a given period of time. This is not the initial identification of portions of the search results based upon creation date as recited in claims 1 and 9. With regard to claim 15, as currently recited the temporally ranked search results utilize age, that is the creation date of each search result. There is no teaching or suggestion in Barrett to use the age of the search results themselves to provide ranking. Ranking in Barrett is based on popularity, i.e. usage. All of the remaining claims depend either directly or indirectly from claims 1, 9 and 15 and contain additional recitations that further define the present invention over Barrett. For example, claims 3 and 10 recited the use of present importance weight and future importance weight in ranking the results in the second portion of the initial results. Since Barrett fails to disclose or teach all of the recitations of the claims as presently amended, the present rejection has been overcome and should be withdrawn.

Applicant asserts that all claims are now in condition for allowance, early notification of which is respectfully requested. As the present amendments do not introduce any new claims above the original number of filed claims, no fees are believed due for the submission of this amendment.

Respectfully submitted,

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George Willingham (Reg No. 41,377)
Attorney for Applicant
P.O. Box 19080
Baltimore, MD 21284
410-832-8801

Enclosures

ANNOTATED SHEET

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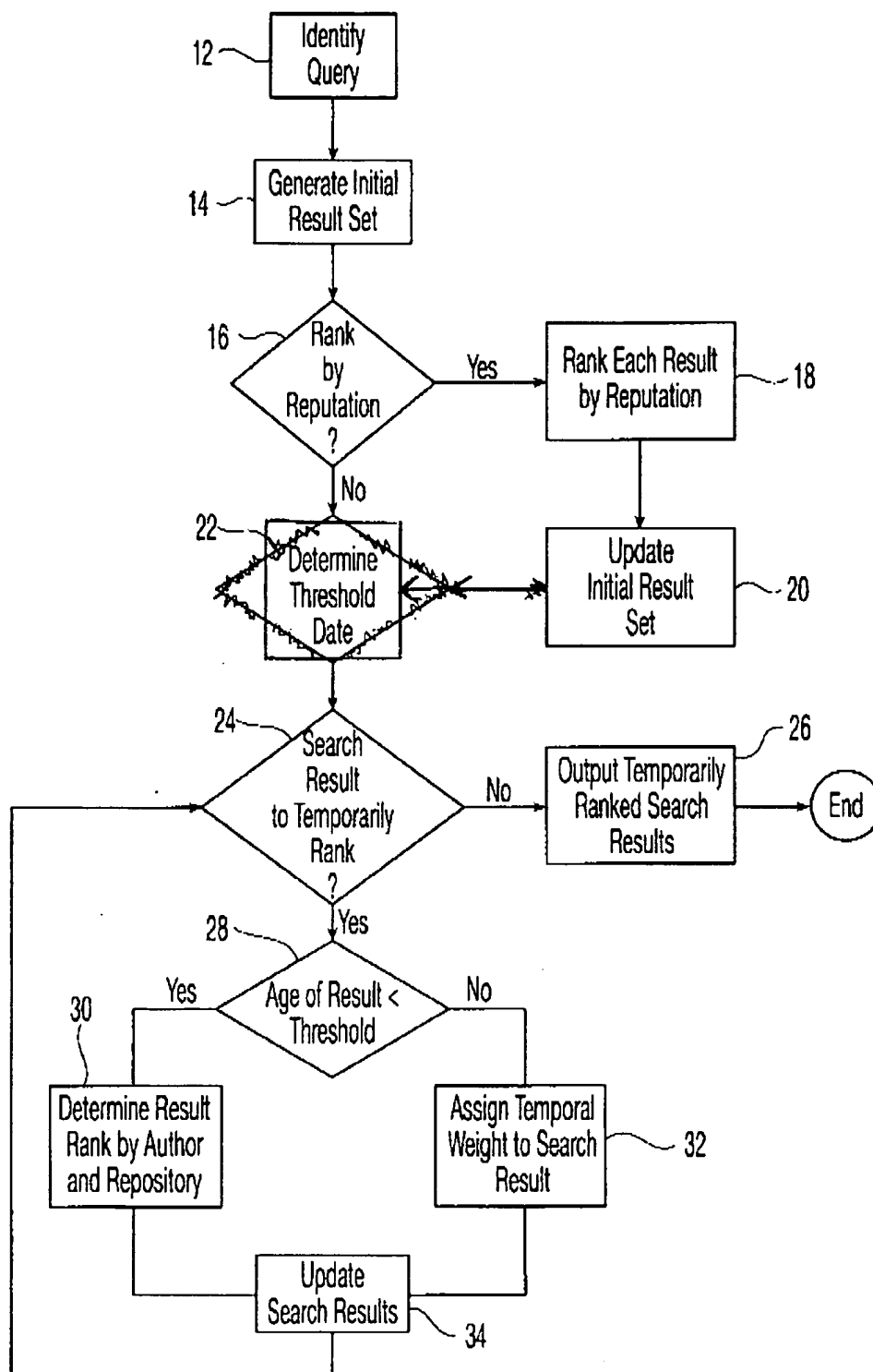


Fig. 1